



Town of Carlisle

MASSACHUSETTS 01741

Office of
PLANNING BOARD

MINUTES

July 7, 1980

Present: Kulmala, Hannaford, Coulter, Raftery, Chaput, Sauer, Courant

The Minutes of the June 9 meeting were not ready for review. The Minutes of the June 23 meeting were amended as follows: On page 2, paragraph 2, "Town Counsel" should read "Atty. McWalter." It was noted that a copy of the Four Seasons (Concord Cooperative Bank) agreement dated June 23, 1980, should be attached to the Minutes as stated. The Minutes of the June 23 meeting were accepted as amended.

Mr. Mannis presented for preliminary review his application and plan for a Special Driveway Permit to serve Lots 1 through 6 on East Street as shown on the plan. A plan showing construction details of the driveway was included. The Board was informed that the Conservation Commission Public Hearing will be held on July 21. A proposed covenant was also submitted. Suggestions were made for additional information to be included on the plans.

The Planning Board Public Hearing will be held on July 28. Since there is a possibility that there will not be a quorum on that date, August 18 will be the alternate date and the legal notice for publication will include this information. In any event, August 18 will be the first regular meeting in August.

The plan of land of MSB, Inc. (see Minutes of June 23), was considered. After discussion, upon motion made and seconded, it was unanimously voted to deny the request of M.S.B. Corporation for a determination that a plan entitled "Compiled Plan of Land in Carlisle, Massachusetts, owned by M.S.B. Incorporated," undated, prepared by Robert M. Gill and Assoc., Inc., of Lowell, Massachusetts, filed with the Board on June 23, 1980, is not a subdivision and therefore does not require approval under the Subdivision Control Law for the following reasons:

- 1) the Plan and submission do not satisfy the requirements of the Carlisle Planning Board Rules and Regulations, Section 2.b., in the following aspects:
 - a) the plan does not establish that the Morse Road on which the lot fronts, as purported on the plan, is a public way, in that it does not show that it is identical to Morse Road as laid out in the county records. Thus, the applicants have not submitted "evidence necessary to show that the plan does not require approval under the Subdivision Control Law," as required by Section 2.B.1.(b).

- b) the plan does not show whether any portion of the land lies within a Flood Hazard District as required by 2.B.2.(c).
 - c) the plan does not give the names of abutters on the north-easterly side as required by 2.B.2.(f).
- 2) Even if the area shown on the Applicants' plan is the way laid out by the County Commissioners in 1803 and it has not been abandoned, it is not a "public way" within the definition or intent of G.L. c.41, Section 81L, and the division of land therefore is a subdivision. The lots front on a strip of land not in any practical sense in existence as a way. The provisions of the Subdivision Control Law require that the Planning Board exercise its powers, including its power to determine whether the applicants' plan required approval as a subdivision, with due regard for the provision of adequate access to the proposed lots and for protecting the safety, convenience, and welfare of the inhabitants of the town.

Kay Kulmala reported that she had signed the Releases for the lots enumerated in the June 23 Agreement between Four Seasons and the Town of Carlisle.

Dick Coulter reported that he had reviewed all the data compiled by Kay Kulmala and Hal Sauer from existing studies and evaluations regarding criteria for Police and Fire Station location. Al Cameron was present for the Selectmen and said they would like to have four sites identified within the next month for further study before September. He gave some guidelines regarding size and requirements of the facilities. Further deliberations on this project will be held at the July 28 meeting.

Kay Kulmala reported that the interim Town Center 100 scale map (not showing lot lines) will be ready by the middle of August.

There had been a question as to whether the new deadend regulation would prevent someone on a road like Prospect Street from dividing a parcel into two or more lots. This regulation pertains to a proposal to build a subdivision road which would extend a deadend road. Lots along a current deadend road would not come within it.

An Approval Not Required (ANR) checklist was previewed and will be further discussed at the July 28 meeting. This checklist may be made available with the Application for ANR plans.

The Preliminary Site Plan for Carlisle Elderly Housing was received. This plan is required to be submitted to the Planning Board at least 60 days before submittal of the Final Development Plan and Application for Site Plan Approval. It was suggested that a letter be sent to the Planning Board starting the 60-day clock.

Regarding alternative development techniques, exploration of how other Massachusetts towns have provided for cluster-type zoning will be investigated as well as what incentives a developer has for building in this manner.

In other business, it was suggested that photographs be taken of Morse Road as it now exists. It was reported that Conscom is investigating a Lowell Road property where there may have been filling of wetlands without permission.

Meeting adjourned at 11:30 p.m.

Respectfully submitted,

Meredith DeLong
Secretary to the Board

JEDEDIAH MANNIS

ATTORNEY AT LAW

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June 26, 1980

Ms. Kay Kulmala
80 Russell Street
Carlisle, Massachusetts

Re: Application for a Special
Permit for a Common Drive-
way on East Street in
Carlisle, Massachusetts

Dear Ms. Kulmala:

I am writing to confirm my appearance before the Planning Board of the Town of Carlisle on Monday, July 7, at 8:10 P.M., for an informal hearing on the above captioned Application. I understand that the public hearing on the Application is scheduled for Monday, July 28.

Thank you for your careful consideration last Monday night of my application for a Subdivision ANR of the same property. I look forward to seeing you again on July 7.

Sincerely yours,



Jedediah Mannis